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FILE NO.: 90073.1002

October 3, 2019

By ECF

The Hon. Sandra J. Feuerstein
United States District Judge
United States District Court
Alphonse M. D'Amato United States Courthouse
100 Federal Plaza
Central Islip, NY 11722

Re: Barbara v. NYU Winthrop Hospital, 19 Civ. 01631-SJF-ARL

Dear Judge Feuerstein:

We are attorneys for the defendant in this public accommodations disability discrimination lawsuit. We write with the consent of plaintiff's counsel to jointly request a 60-day enlargement of the current October 25, 2019 deadline for the parties to complete all discovery in this matter. (*See* Dkt. Entry No. 12.)

The basis for this request is that, during the summer months, the undersigned was unable to materially progress in discovery due to a number of personal and professional circumstances. Specifically, the undersigned's wife underwent a complex spinal fusion surgery, followed by intensive rehabilitation and, one month later, emergency surgery to clean out a MRSA infection in the surgical drain site. Additionally, the undersigned participated as lead counsel in two jury trials during the August/September time frame. These trials were *Van Vorst v. Lutheran Medical Center*, 15 Civ. 01667-ERK (representing defendant in two-week jury trial in EDNY) and *Mondschein v. Badillo*, Index No. 600307/2014 (representing defendants in one-week jury trial in Supreme Court, Nassau County).

These events prevented us from materially progressing in fact discovery during the last several months. We have conferred with plaintiff's counsel, and have developed a schedule that will ensure that all fact and expert discovery is completed December 24, 2019.

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This is our first request for enlargement of the deadline.

Respectfully yours,

Roy W. Breitenbach

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RWB:gpc

cc: James Bahamonde, Esq.

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